

**Fiscal Services Division
Legislative Services Agency
Fiscal Note**

HF 2442 - Clerks of Court (LSB 5284 HV)
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Fiscal Note Version - New

Description

House File 2442 relates to the procedures and duties of the Clerk of District Court and the Judicial Branch and provides for a fee.

Assumptions

1. In calendar year 2003, there were approximately 10,500 full estates opened. (This number excludes conservatorships, guardianships, or estates that do not require administration.) The Judicial Branch does not keep track of the number of certificates issued for change of title in probate. This analysis will assume that one change of title certificate was issued for each estate opened.
2. House File 2442 increases the fee from \$10 to \$20 for this action. The amount of revenue generated from this increase is estimated to be approximately \$105,000.
3. Creates a filing fee for criminal motion to show cause. Under current law, there is a filing fee for motion to show cause in a civil procedure but not for a criminal case. The filing fee for contempts arising out of simple misdemeanors would be \$17 and for all other criminal cases, the fee would be \$30.
4. In calendar year 2003, there were 2,469 motions to show cause filed in simple misdemeanor cases and 4,663 motions to show cause for all other indictable cases. The revenue generated from this increase is estimated to be \$42,000 for simple misdemeanors and \$140,000 for all other indictable offenses. The collection rates for these cases will vary.

Fiscal Impact

House File 2442 would increase revenue to the General Fund by approximately \$287,000 annually.

Source

Judicial Branch

Dennis C Prouty

March 15, 2004

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
